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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/659,558	09/11/2000	Anita Wai-Ling Huang	AM9-99-0159	4686
21254	7590	08/27/2004	EXAMINER	
MCGINN & GIBB, PLLC 8321 OLD COURTHOUSE ROAD SUITE 200 VIENNA, VA 22182-3817			LIN, WEN TAI	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 08/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/659,558

Applicant(s)

HUANG ET AL.

Examiner

Wen-Tai Lin

Art Unit

2154

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 12 July 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: none.Claim(s) objected to: none.Claim(s) rejected: 1-44.Claim(s) withdrawn from consideration: none.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

Wen-Tai Lin
Examiner
Art Unit: 2154

Wen-Tai Lin
8/24/04

Continuation of 5. does NOT place the application in condition for allowance because: Applicant's argument is not persuasive, therefore the rejection stands.

Specifically, Applicant disagrees with the examiner's position on making the previous office action final by citing a difference between the non-final and final office actions, mailed on 12/17/03 and 5/12/04, respectively (see page 16 of Applicant's remarks).

It is noted that since the claim language of claim 1 uses "one of X and Y" type of structure as claimed limitations (wherein X represents "displaying only those objects of said web page which said user has accessed a predetermined number of times previously" and Y represents the other limitation), a prior art would read on the claim by merely showing X or Y. In the non-final office action the examiner first stated that Herz does not specifically teach X or Y (see page 3, paragraph 5, lines 8-10), then asserted that X is an obvious feature in view of Herz. In comparing to the final office action at page 3, lines 1-2, wherein the examiner stated that Herz does not specifically teach X, followed by asserting that X is an obvious feature in view of Herz. The mere difference which does not negate Herz's teaching of Y does not necessary lead to a conclusion that Herz has taught . Furthermore, since feature of Y has not been relied upon in both office actions, it does not make any difference whether the examiner negate Herz's teaching of Y or not.

The following comment has nothing to do with the current prosecution but may serve as good-will advices:

(i) It is found that the term "object" in the claim language has not been properly or specifically defined in the specification. One who traces the term "object" may find it in phrases such as "object of the invention", "entries (or classes of objects) that the user wants to access", "predetermined objects on a web page", "classify its contents according to objects (i.e., different services or classes)," etc. With broad definitions or implications as such, it is going to render a lot of difficulty in overcoming a prior art.

(ii) As an extreme example: a browser retrieves a previously displayed web page by clicking on the "back" button. In this example, all the objects that are displayed on the same web page have been accessed once, as a result claim 1 could have been rejected under USC 102.